

08/765012



UNITED STATES DEPARTMENT OF COMMERCE
Patent and Trademark Office

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SERIAL NUMBER	FILING DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NO.

EXAMINER	
ART UNIT	PAPER NUMBER
	9

DATE MAILED:

EXAMINER INTERVIEW SUMMARY RECORD

All participants (applicant, applicant's representative, PTO personnel):

(1) James D. Day, Examiner (3) _____
(2) Kurt Busser, Attorney (4) _____

Date of interview 2-2-98

Type: ☒ Telephonic ☐ Personal (copy is given to ☐ applicant ☐ applicant's representative).

Exhibit shown or demonstration conducted: ☐ Yes ☐ No. If yes, brief description: _____

Agreement ☒ was reached with respect to some or all of the claims in question in part ☐ was not reached.

Claims discussed: all generally

Identification of prior art discussed: none; possible related application

Description of the general nature of what was agreed to if an agreement was reached, or any other comments:

The Examiner wanted to know the exact relationship of the foreign assignee, Bayer to that of Bayer corporations in US, especially as it relates to US applications that are directed to D-H modification and potential concern for D.P. rejection. Mr. Busser could not confirm at the present whether both are wholly or partially owned. EP pointed out that at present it would be assumed that the assignee are the same and that D.P. rejection would be written over the respective applications. This would be all.

(A fuller description, if necessary, and a copy of the amendments, if available, which the examiner agreed would render the claims allowable must be attached. Also, where no copy of the amendments which would render the claims allowable is available, a summary thereof must be attached.)

Unless the paragraphs below have been checked to indicate to the contrary, A FORMAL WRITTEN RESPONSE TO THE LAST OFFICE ACTION IS NOT WAIVED AND MUST INCLUDE THE SUBSTANCE OF THE INTERVIEW (e.g., items 1-7 on the reverse side of this form). If a response to the last Office action has already been filed, then applicant is given one month from this interview date to provide a statement of the substance of the interview.

☐ It is not necessary for applicant to provide a separate record of the substance of the interview.

have to be resolved of record in both sets of applicants. Mr. Busser

☐ Since the examiner's interview summary above (including any attachments) reflects a complete response to each of the objections, rejections and requirements that may be present in the last Office action, and since the claims are now allowable, this completed form is considered to fulfill the response requirements of the last Office action.

did inform the EP that they recently received notice of allowance on similar claims in 08/232289. D.P. will probably be written over then to.

Examiner's Signature